

Testimony of Jeff Tang before the Gun Violence Prevention Working Group, January 28, 2013

Distinguished members of the Gun Violence Prevention Working Group,

I am Jeff Tang, a self-employed carpenter from Fairfield, Treasurer of the Stratford Gun Collector's Association, and expectant first-time father. This year has a bumper crop of proposed gun laws, many of which encompass the same ideas. While there are several good ones, most of these proposals would have a negative effect on the safety of Connecticut residents, exposing them to greater gun violence among other adverse consequences.

The gun control debate is often proposed as a contest between the rights of hunters and sportsmen versus the safety of the public. This view has no basis in law. Article I, Sec. 15 of the Connecticut State Constitution says that "Every citizen has a right to bear arms in defense of himself and the state." Nowhere is there a guarantee of hunting or sporting rights, as important as those are to the citizens of this state. Properly framed, the debate is between the crimes prevented by the legal use of firearms in self-defense weighed against the crimes prevented by restricting firearms in various ways. Inevitably, the actual good caused by legal firearms ownership outweighs the hypothetical crime prevention from limiting firearms ownership—especially because violent crime increases when lawful citizens are disarmed and criminals have less risk when committing violent crimes.

Perhaps the most alarming proposal this legislative session is the push to certify firearms-related bills as emergency measures, bypassing the public hearing process and fast-tracking their passage. On the heels of a disastrous, dishonest, and legally questionable legislative maneuver in neighboring New York, Connecticut legislators should be especially cautious and careful to ensure that any bills passed in this legislative session follow the proper procedure and gain public support. Legislators in New York used emergency procedures to pass sweeping restrictions on firearms in a mere 2 days, and are now facing a class-action lawsuit from tens or hundreds of thousands of New York gun owners. The New York Sheriff's Association has found many inconsistencies and points which need clarification, and opines that the redefinition of "assault weapons" is problematically broad, while the new magazine capacity limits will be ineffective at reducing gun violence. Law enforcement officers are concerned that the law may not exempt even their duty guns, not to mention those they carry when off-duty to protect themselves and their families. Emotions are high at this time, barely a month after the tragedy in Sandy Hook, and lawmakers must make a concerted effort to legislate based on facts and reason rather than rumor and emotion. Poorly-drafted laws come off as illegitimate, and ultimately cause citizens to question the competence of the state government. Such a state of affairs is unacceptable.

One proposal which merits such consideration is Senator Kissel's proposal to allow local and regional school boards to develop policies regarding firearms carry within their schools. So-called "gun-free" school zones allow the criminals to murder innocents without fear of resistance or reprisal. If a local school board is willing to enact a policy which would allow some trained, responsible, and legal adults to protect school children, the state should not stand in the way. I would prefer that my child attend a school with armed protection like affluent private schools have, and there is no reason for the state to block the will of a local or regional school board in allowing that to happen. Opposition of a measure like this signals a complete disinterest in the safety of our children. No school board would enact a policy which would irresponsibly allow children access to the firearms of adults, and the current protection of "gun-free school zone" signs has clearly failed in a catastrophic way. Whether a school chooses to hire armed security, or allow responsible adults to secure their legal firearms in a special location within the school, or even to allow permit-holders with training to carry firearms, it can only lead to a significant improvement in our children's safety.

The same cannot be said for the various proposed alterations to the safe storage laws. Safe storage is, of course, an essential part of gun ownership. But it must be motivated by desire, not demanded by legal requirement. Laws will only punish those who don't store their firearms safely *after* a tragedy occurs, rather than preventing them from happening in the first place. Firearms laws in Connecticut are many and complex, and many gun owners cannot keep up with the changes. Passing a law is not the same as informing them of the new requirements. Even when the rare, irresponsible gun owner neglects to store a firearm safely, many people won't hear about it. When was the last time we heard about someone who allowed underage drinking at a house party, or who caused an accident while texting and driving? Furthermore, how would safe storage laws be enforced? Would it also require mandatory inspections by state officials to ensure safe storage? How would these be funded? Is there the possibility to abuse these inspections and requirements to illegally restrict firearms ownership, making a travesty of the law?

Instead, the state should actively encourage gun safety. This can take the form of radio, television, and print media public safety announcements like those against drunk driving and speeding in work zones. It can also take the form of repeated statements from elected officials like the Governor—an option which state officials could begin immediately and with no cost to the state. Encouraging gun safety means explaining the importance and basics of safe gun storage, encouraging children and those who aren't able to safely handle firearms to not touch them, leave the area, and report to an adult or responsible person if they encounter a firearm. The state can also encourage portrayals of safe gun handling in the media, rather than the cavalier attitude we currently see in most movies and television shows. Safe firearms handling can be distilled down to four basic rules: treat every firearm as a loaded one; keep firearms pointed in a safe direction at all times; keep fingers off the trigger until ready to fire; be sure of one's target and what's beyond it. There is no reason for anyone to remain ignorant of these safety rules, and there should also be no excuse thanks to efforts by the state and private organizations. Also, specifically with respect to mass shootings, the state should refuse to release the names of those who commit this kind of crime, so they won't achieve their goal of notoriety. Concurrent with this, the state should encourage the media to follow a similar policy. These simple, pro-active measures could be the most effective effort to reduce accidental and negligent firearms injuries and deaths, while making it much harder for criminals to steal legally-owned guns. Furthermore, these measures would find universal approval with both those who own guns and those who do not. Who opposes safety?

Numerous proposed bills would require the registration of all legally-owned guns in the state. One could ask, "Who opposes registration?" It seems like an innocuous measure. However, the idea of universal, mandatory firearms registration is perhaps the most virulently opposed suggestion currently on the table short of outright confiscation. Firearms owners take issue with the idea of firearms registration because it potentially precedes attempts at confiscation, while providing little benefit to law enforcement or legal gun owners. The experience of gun owners in countries like England and Australia evinces a progression from registration, through confiscation of increasingly broad categories of firearms, ending with near complete prohibitions on firearms ownership--and that only with severe restrictions. In the United States, localities like New York City, Washington, DC, and the entire state of California required registration of firearms, and then changed the laws to prohibit possession of some registered and previously-legal firearms, which they then confiscated. The same pattern seems set to repeat itself in New York State, and proposals to broadly confiscate most or all firearms have been introduced into the Connecticut legislature this year. While proponents of registration claim that it would allow police to track guns used in crimes and return stolen firearms to their rightful owners, the reality is that legally-owned firearms are rarely used in crimes, and that stolen firearms would have to be involved in a crime for police to find them, rendering them evidence rather than returnable property. By and large, gun owners believe that the sole purpose of registration is to enable future confiscation, and proposals to force registration only create distrust of the state.

On the other hand, the state can regain the trust of legal gun owners by enacting proposals to standardize the permit process and firearms laws, strengthen the protections on self-defense, increase the penalties for illegal firearm use, and funding the State-Wide Firearms Trafficking Task Force. Many gun owners in Connecticut begin their experience by obtaining a Connecticut Permit to Carry Pistols and Revolvers. Currently, this is a convoluted process which requires first obtaining an essentially symbolic municipal pistol permit subject to arbitrary and unequal requirements imposed by each town, after which applicants get a State permit with a quick visit to a State Police office. Despite communications from the State disallowing such practices, towns have charged increased fees, imposed arbitrary additional requirements, and blocked or delayed permit applications without good reason. Furthermore, some towns impose or attempt to impose obscure, unexpected, and unreasonable restrictions on the rights of Connecticut permit holders. Standardizing the permit process throughout the state and legislating explicit state preemption on firearms laws would announce the state's commitment to the rule of law applied equally throughout the state, and enhance the ability of citizens to defend themselves and their loved ones.

Meanwhile, increasing the penalties on illegal gun use and re-commissioning the State-Wide Firearms Trafficking Task Force would show a commitment to stop the criminal use of firearms in the state, which is the primary source of gun violence. Legal gun owners are weary of proposals to punish law-abiding citizens for the misdeeds of criminals. Directly targeting the criminals would restore confidence in the state and the state's intentions. Gun owners believe that their rights go hand-in-hand with the responsibility to exercise them properly. They believe that criminals should be punished—severely—for the abuse of those rights. Again, this would find universal approval throughout the state (except, of course, from criminals).

Various lawmakers throughout the state have jumped on the bandwagon to propose numerous, overlapping, and ineffective new laws. Bans on categories of firearms and ammunition magazine capacity limits restrict the ability of law-abiding citizens to defend themselves while doing nothing to stop criminals. Public disclosure of permit holder's or gun owner's information would create an atmosphere of fear throughout the state as those who fear guns turn against their neighbors when they learn that they own guns, and criminals target either those they know are disarmed or attempt to steal guns from homes where they are stored. Requiring liability insurance for gun ownership and increased taxes and permit fees are back-door methods to discourage firearms ownership, leaving effective self-defense for only those affluent enough to afford it. Restrictions on purchasing ammunition, bans on online purchases of guns and ammunition, limits on the number of guns purchased in a timeframe, and raising the age for long gun ownership would both discourage firearms ownership *and* fail to restrain criminals in any way. While the goal of reducing gun violence is laudable, these proposals are misguided at best, or counterproductive and unconstitutional at worst. Lawmakers must separate the chaff from the wheat with these proposals, choosing to protect the safety and rights of the citizens of this state by approving only those proposals which will have a positive effect in reducing gun violence.